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Remarks:

The above amendments and these remarks are responsive to the Office action dated December 27, 2005. Reconsideration and allowance of the present application is requested in view of the following.

I. Drawings

The Office Action objected to the drawings. In response, Applicants are canceling claim 12, which recited "wherein the at least one resilient member extends from the rotatable member generally opposite to the direction." As such, Applicants submit that the objection to the drawings is overcome. Withdrawal of this objection is requested.

II. Rejections under 35 USC § 112

The Office Action rejected claim 12 under 35 USC § 112. Applicants are canceling claim 12, thus rendering moot the rejection thereof. Withdrawal of this rejection is requested.

III. Rejections under 35 USC § 102

A. The Jensen Reference

Claims 1-5, 11, 17, and 20 are rejected under 35 USC § 102(b) as anticipated by U.S. Patent No. 3,981,496 to Jensen et al. ("Jensen"). Applicants are amending claim 1 to recite "carrying a trailing edge with a member that extends non-radially from the roller of the sheet medium upward and then over the roller" and submit that this feature is not disclosed by Jensen. Jensen discloses radially-extending elements 8, which do not comprise "a member that extends non-radially from the roller" as recited in claim 1.

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Consequently, Jensen does not anticipate claim 1 as amended. Withdrawal of this rejection is requested.

Claims 2-5 depend upon claim 1 and are allowable for at least the same reasons claim 1 is allowable. Withdrawal of these rejections is requested.

Claim 11 is cancelled, thus rendering moot the rejection thereof.

Claim 17 and 20 are amended to depend upon claim 13, which the Office Action notes comprises allowable subject matter. Claim 13 is rewritten in independent form to overcome the objection thereto.

B. The Harvey Reference

Claims 1, 3-10 stand rejected are rejected under 35 USC § 102(b) as anticipated by U.S. Patent No. 4,681,312 to Harvey. Applicants are amending claim 1 to recite "carrying a trailing edge with a member that extends non-radially from the roller of the sheet medium upward and then over the roller" and submit that this feature is not disclosed by Harvey. Harvey discloses sheet 1 advanced by rolls 4a, 4b. The rolls 4a, 4b of Harvey do not include "a member that extends non-radially from the roller" as recited in claim 1. As such, Applicant submits that Harvey does not anticipate claim 1 as amended. Withdrawal of this rejection is requested.

Claims 3-6 depend upon claim 1 and are allowable for at least the same reasons claim 1 is allowable. Withdrawal of these rejections is requested.

Claim 7 is amended to recite "carrying a trailing edge of the sheet medium along an arcuate path extending upward with a protrusion that extends non-radially from the roller". The rolls 4a, 4b of Harvey are do not include such a protrusion. Hence,

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Harvey does not anticipate claim 7 as amended. Withdrawal of this rejection is requested.

Claims 8-10 depend upon claim 7 and are allowable for at least the same reasons claim 7 is allowable. Withdrawal of these rejections is requested.

IV. Rejections under 35 USC § 103

Claims 6-10, 18, and 27 are rejected under 35 USC § 103 as being unpatentable over Jensen. Applicants traverse these rejections as applied to the claims as amended.

Claim 6 depends upon claim 1 and is allowable for at least the same reasons claim 1 is allowable.

Claim 7 is amended to recite "carrying a trailing edge of the sheet medium along an arcuate path extending upward with a protrusion that extends non-radially from the roller". Jensen discloses radially-extending elements 8, which do not comprise "a protrusion that extends non-radially from the roller" as required by claim 7. As such, Applicants submit that claim 7 defines over Jensen because Jensen does not teach or suggest the protrusion recited in amended claim 7. Withdrawal of this rejection is requested.

Claims 8-10 depend upon claim 7 and are allowable for at least the same reasons claim 7 is allowable. Withdrawal of these rejections is requested.

Claim 18 is amended to depend on allowable claim 13 and is allowable for at least the same reasons as claim 13. Withdrawal of this rejection is requested.

Applicants traverse the rejection of claim 27 on the basis that the Office Action does not meet the requirements of making a prima facie case of equivalence of the

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means-plus-function claim elements. MPEP 2183 sets forth the requirements for a prima facie case of equivalence of a means-plus-function claim element. In particular, this MPEP section specifies that Examiner provide **"rationale in the Office action as to why the prior art element is an equivalent."**

Here, the Office Action fails to identify any prior art element that is equivalent to the three means-plus-function elements:

1. "means for placing colorant on a sheet medium"
2. "means for moving the sheet medium along an upward path by contact of a face of the sheet medium with a roller"
3. "means for lifting a trailing edge of the sheet medium upward and then over the roller."

Consequently, the Office Action also fails to allege equivalence of this means-plus-function element. As such, Applicants cannot evaluate this basis of rejection since it is not set forth as the MPEP requires.

Because the Office Action has not identified any prior art element that is equivalent to these means-plus-function elements Applicant submits that the Office Action fails to establish prima facie equivalence. Consequently, Applicant requests withdrawal of the rejection of claim 27.

V. Conclusion

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

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The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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